

Department of Energy
Acquisition Regulation (DEAR)

No. AL-2009-08
Date 06/16/2009



ACQUISITION LETTER

This Acquisition Letter is issued under the authority of the Procurement Executives of DOE and NNSA

**Subject: Greening Considerations under Awards Using
American Recovery and Reinvestment Act of 2009
Funding**

References:

Public Law 111-5	American Recovery and Reinvestment Act
OMB Guidance	Implementing Guidance for the American Recovery and Reinvestment Act of 2009, Memorandum M-09-15, April 3, 2009
DEAR 970.5223-1	Integration of Environment, Safety, and Health into Work Planning and Execution
DOEO430.2B	Departmental Energy, Renewable Energy and Transportation Management
DOEO450.1A	Environmental Protection Program
noEM450.4-1	Integrated Safety System Manual

When is this Acquisition Letter (AL) Effective?

This AL is effective immediately upon issuance.

When Does This AL Expire?

This AL remains in effect until superseded or canceled.

Who are the Points of Contact?

Richard Langston, Office of Procurement and Assistance Policy, MA-61, (202) 287-1339 or Richard.Langston@hq.doe.gov or for NNSA, Jill Robbins, Office of Acquisition and Supply Management Office, NA-63, (202) 586-9678 or Jill Robbins@nnsa.doe.gov or Josh Silverman, Office of Health, Safety and Security, HS-22, (202) 586-6535 or Josh.Silverman@hq.doe.gov.

What must the Contracting Officer and Contractor do to comply with these requirements?

Compliance will be managed through EMSs, as required by DOE O 450.1A. Contracting Officers must remind Contractors of the existing requirements to include in their EMSs objectives and targets that incorporate the following greening principles, established in DOE O 450.1A and DOE 430.2B, that support Recovery Act goals of energy efficiency and environmental sustainability. Examples include the following:

- Incorporating sustainability into the design, construction, renovation, leasing, and operation of DOE facilities;
- Reducing or eliminating the generation and/or toxicity of waste and other pollutants;
- Reducing or eliminating the acquisition, use and release of toxic and hazardous chemicals and materials;
- Maximizing the acquisition and use of energy efficient, water efficient, and environmentally preferable products, goods, and services in the conduct of operations;
- Incorporating electronics stewardship practices for purchase, use and disposition of electronic assets;
- Reducing degradation and depletion of environmental resources through the maintenance of cost effective waste prevention and post-consumer material recycling programs;
- Reducing energy consumption, increasing energy efficiency, and increasing the generation of electricity and steam from renewable energy sources;
- Reducing the consumption of vehicle miles travelled and increasing the use of higher-mile economy vehicles, including alternative fuel vehicles;
- To the extent practical within ARRA deadlines, conducting operations to minimize the direct and indirect generation of greenhouse gases; and,
- Reducing potable water consumption and increasing the use of nonpotable water sources such as reclaimed, recycled and gray water for appropriate applications.

Contracting Officers shall ensure that these greening requirements flow down to subcontractors at any tier to ensure maximum greening of ARRA projects.

DOE Orders 430.2B and 450.1A support compliance with the greening provisions of the ARRA and OMB Guidance. DOE contracts include site-specific objectives and targets in their EMSs that contribute to achieving the energy and transportation goals of 430.2B and the Sustainable Environmental Stewardship goals in DOE O 450.1A. Site personnel and contractors should also monitor progress toward meeting these goals and make it available to the Senior Agency Official and HSS.

To ensure that the environmental, energy, and transportation aspects are adequately addressed when ARRA funded projects are added to existing contracts, the Contracting Officer will consult with DOE environment and energy staff to assess the adequacy of the Contractor's existing EMS in light of any new performance requirements of the ARRA